

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

ROCKWELL AUTOMATION, INC. and
ROCKWELL AUTOMATION
TECHNOLOGIES, INC.,

Plaintiffs,

v.

ORDER

10-cv-718-wmc

WAGO CORPORATION and WAGO
KONTAKTTECHNIK GMBH & CO. KG,

Defendants.

Having reviewed defendants' deposition designations and objections thereto, the court makes the following rulings as to Shelly Urdaneta's deposition. It appears that the following witnesses' testimony is solely relevant to defendants' unclean hands defense. As such, the court will review the deposition designations but will not issue a ruling on the objections since the testimony will not be received by the jury.

- Gregory Bell
- Alan Cribbs
- Robert Meeker (both in his personal capacity and as a 30(b)(6) designee)
- David Vasko

The court will issue a ruling on the objections to deposition designations for witnesses whose testimony is relevant to the damages phase of the trial shortly.

The approved designations may be presented to the jury unless the witness is available to testify in person. Defendants shall remove the following from the approved designations: (1) all objections; (2) any “strike that” references or similar language and the preceding question; (3) any complaints about the opposing party’s failure to timely produce documents; (4) any document requests; and (5) any other asides or discussions between counsel.

Shelly Urdaneta (Aug. 29, 2012)

Defendants’ Designations	Plaintiffs’ Objections	Plaintiff Counter-Designations	Defendant Counter-Objections	Ruling
4:1-6				
4:13-15				
4:20-5:1				
5:25-6:17				
6:23-7:4				
7:8-11				
12:5-15				
12:20-13:21				
13:24-14:6	R, 403, FD			Overruled.
14:12-15:4	R, 403, FD			Sustained.
31:25-32:17	V			Overruled.
34:22-35:2	403, R, V, FD			Overruled.
38:25-39:4	HS, R, 403, FD, V, MIL, ED, LO		39:5-8, 39:24-40:3, 40:22-24, 42:25-43:3	Sustained as to jury review, but will consider with respect to unclean hands defense.
39:9-16	HS, R, 403, FD, V, MIL, ED, LO		39:5-8, 39:24-40:3, 40:22-24, 42:25-43:3	Sustained as to jury review, but will consider with respect to unclean

				hands defense.
39:23	HS, R, 403, FD, V, MIL, ED, LO		39:5-8, 39:24- 40:3, 40:22- 24, 42:25- 43:3	Sustained as to jury review, but will consider with respect to unclean hands defense.
40:10-21	HS, R, 403, FD, V, MIL, ED, LO		39:5-8, 39:24- 40:3, 40:22- 24, 42:25- 43:3	Sustained as to jury review, but will consider with respect to unclean hands defense.
41:5-11	HS, R, 403, FD, V, MIL, ED, LO		39:5-8, 39:24- 40:3, 40:22- 24, 42:25- 43:3	Sustained as to jury review, but will consider with respect to unclean hands defense.
42:4-21	HS, R, 403, FD, V, MIL, ED, LO		39:5-8, 39:24- 40:3, 40:22- 24, 42:25- 43:3	Sustained as to jury review, but will consider with respect to unclean hands defense.
42:24	HS, R, 403, FD, V, MIL, ED, LO		39:5-8, 39:24- 40:3, 40:22- 24, 42:25- 43:3	Sustained as to jury review, but will consider with respect to unclean hands defense.
43:4-13	HS, R, 403, FD, V, MIL, ED, LO			Overruled.
44:3-45:20				
46:5-48-2	R, 403, MIL, EO, LO, V, FD			Overruled.
48:5	R, 403, MIL, EO, LO, V, FD			Overruled.
49:23-50:9	R, 403, MIL, EO, LO, V, FD			Overruled.
50:11-16	R, 403, MIL, EO, LO, V, FD			Overruled.
50:19	R, 403, MIL, EO, LO, V, FD			Overruled.

51:5-52:8	R, 403, MIL, EO, LO, V, FD			Overruled.
52:15-20	R, 403, MIL, EO, LO, V, FD			Overruled.
53:5-6	R, 403, MIL, EO, LO, V, FD			Overruled.
53:9-54:1	R, 403, MIL, EO, LO, V, FD			Overruled.
54:8-11	R, 403, MIL, EO, LO, V, FD			Overruled.
55:3-12	R, 403, MIL, EO, LO, V, FD			Overruled.
55:14-23	EO, LO, R, 403, FD, V, MIL			Overruled.
56:1-19	EO, LO, R, 403, FD, V, MIL	56:21-57:7		Overruled.
57:10-19	EO, LO, R, 403, FD, V, MIL	56:21-57:7		Overruled.
62:6-8	EO, LO, R, 403, FD, V, MIL			Sustained.
79:12-80:9	EO, LO, R, 403, FD, V, MIL			Overruled, except for showing of relevance.
80:18-82:7	EO, LO, R, 403, FD, V, MIL			Overruled, except for showing of relevance.
82:15-22	EO, LO, R, 403, FD, V, MIL			Overruled, except for showing of relevance.
82:25-83:12	EO, LO, R, 403, FD, V, MIL			Overruled, except for showing of relevance.
83:15-17	EO, LO, R, 403, FD, V, MIL			Overruled, except for showing of relevance.
83:19-20	EO, LO, R, 403, FD, V, MIL			Overruled, except for showing of relevance.

83:22-84:4	EO, LO, R, 403, FD, V, MIL			Overruled, except for showing of relevance.
85:13-25	EO, LO, R, 403, FD, V, MIL			Overruled, except for showing of relevance.
86:3-7	EO, LO, R, 403, FD, V, MIL			Overruled, except for showing of relevance.
86:12-14	EO, LO, R, 403, FD, V, MIL			Overruled, except for showing of relevance.
86:16-24	EO, LO, R, 403, FD, V, MIL			Overruled, except for showing of relevance.
87:1-4	EO, LO, R, 403, FD, V, MIL			Overruled, except for showing of relevance.
87:6	EO, LO, R, 403, FD, V, MIL			Overruled, except for showing of relevance.
87:15-22	EO, LO, R, 403, FD, V, MIL			Overruled, except for showing of relevance.
87:25-88:8	EO, LO, R, 403, FD, V, MIL			Overruled, except for showing of relevance.
89:9-16	EO, LO, R, 403, FD, V, MIL			Overruled, except for showing of relevance.
89:20-25	EO, LO, R, 403, FD, V, MIL			Overruled, except for showing of relevance.
90:5-11	EO, LO, R, 403, FD, V, MIL			Overruled, except for showing of relevance.
90:13-20	EO, LO, R, 403, FD, V, MIL			Overruled, except for showing of relevance.

90:24-91:1	EO, LO, R, 403, FD, V, MIL			Overruled, except for showing of relevance.
91:3-21	EO, LO, R, 403, FD, V, MIL			Overruled, except for showing of relevance.
92:3-13	EO, LO, R, 403, FD, V, MIL			Overruled, except for showing of relevance.
93:12-94:16	EO, LO, R, 403, FD, V, MIL			Sustained.
94:23-96:2	EO, LO, R, 403, FD, V, MIL			Sustained.
96:8-10	EO, LO, R, 403, FD, V, MIL			Sustained.
96:12	EO, LO, R, 403, FD, V, MIL			Sustained.
96:20-97:2	EO, LO, R, 403, FD, V, MIL			Sustained.
97:4-12	EO, LO, R, 403, FD, V, MIL			Sustained.
99:7-17	EO, LO, R, 403, FD, V, MIL			Sustained.
100:10-21	EO, LO, R, 403, FD, V, MIL			Sustained.
100:24-101:18	EO, LO, R, 403, FD, V, MIL			Sustained.
106:23-107:2	EO, LO, R, 403, FD, V, MIL			Sustained.
107:4-10	EO, LO, R, 403, FD, V, MIL			Sustained.
107:13	EO, LO, R, 403, FD, V, MIL			Sustained.
108:13-109:2	EO, LO, R, 403, FD, V, MIL			Sustained.
109:4-25	EO, LO, R, 403, FD, V, MIL			Sustained.
110:11-16	EO, LO, R, 403,			Sustained.

	FD, V, MIL			
110:18	EO, LO, R, 403, FD, V, MIL			Sustained.

Entered this 8th day of October, 2012.

BY THE COURT:

/s/

WILLIAM M. CONLEY
District Judge